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**COLORADO MAN CONVICTED IN U.S. COURT OF ADVERTISING
AND TRANSPORTING CHILD PORNOGRAPHY**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, announced that JAN ELIJAH ROGERS, a day care worker, was convicted late yesterday in White Plains federal court of publishing advertisements that offered to receive and exchange child pornography and of transporting child pornography in interstate commerce. ROGERS was convicted after a bench trial on stipulated facts.

ROGERS, a 27-year-old resident of Fort Collins, Colorado, was working at the University of Colorado Children's Center, a day care facility located in Fort Collins, at the time of his arrest.

As established by the proof at trial, ROGERS published his advertisements on the Internet in two chat rooms called "#0!!!!!!!!!!!!!!preteen 101" and "#0!!!!!!!!!!!!!!Preteen411." ROGERS' advertisements offered to trade child pornography by means of a "file server" or "F-serve." (A file server is a mechanism by which computer users can exchange computer files

with other users. It operates from a hard drive and allows the operator of the file server to share his computer files with users who access it, and for those users to add files to the file server.) ROGERS' advertisements offered an "fserver for fans of panty/diaper, swimsuit, and action pix (0-8 yrs)."

The evidence at trial also established that in March 2002 and June 2002, a detective from the Rockland County Sheriff's Office, acting in an undercover capacity, read ROGERS' advertisements and accessed ROGER's file server. Upon accessing the file server, the detective read the "rules" of the file server which, among other things, stated, "New Baby and TODDLER pictures get bonus credits up the wazoo. Redhead series get bonus credits! Remember, the higher the quality, the younger the girl (or boy), and the better the action, the more bonus credits you receive." When the file server granted access to the detective, the detective obtained a directory listing more than 100 files.

Many files carried names either suggesting, or explicitly stating, that they contained child pornography. On June 19-20, 2002, the detective downloaded five images from the file server, all of which constituted child pornography.

According to the trial record and other Court documents, on June 20, 2002, federal agents executed a search warrant on ROGERS' residence in Fort Collins, Colorado. They confiscated a computer which was found to contain tens of

thousands of images of child pornography, including images of child abuse portraying sadistic and masochistic conduct and other acts of violence against toddler-aged children. According to court records, ROGERS was also involved in creating child pornography. Confiscated from ROGERS' residence were two mini-cam videocassettes, which were found to contain footage of ROGERS fondling and engaging in other inappropriate contact with young children he was entrusted to care for.

After his arrest in Fort Collins on June 21, 2002, ROGERS resided in a halfway house for several months as a condition of his bail. His bail was later revoked by a United States Magistrate Judge in Fort Collins after it was learned that immediately after his release from the halfway house he had returned to the day care center where he was previously employed in violation of his bail conditions.

ROGERS was convicted of two counts charging him with advertising the child pornography and one count charging him with transporting child pornography in interstate commerce.

Counts One and Two each carry a mandatory minimum sentence of 10 years' imprisonment and a maximum term of imprisonment of 20 years. Count Three carries a maximum term of imprisonment of 15 years. After finding the defendant guilty on all three counts, United States District Court Judge STEPHEN J. ROBINSON scheduled the sentencing for November 19, 2004.

After his sentencing on the federal charges, ROGERS

will return to Fort Collins where he faces separate state child sex abuse charges.

Mr. KELLEY said that the prosecution was the product of an investigation by the United States Secret Service and praised their efforts.

Assistant United States Attorneys MARCIA S. COHEN and PERRY CARBONE are in charge of the prosecution.

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